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Plaintiff then requested delivery or purchase at \$1.49, the price listed between the date of the demand and the furnishing of bond being \$1.30 to \$1.49. Subsequently plaintiff went to offices of defendant in Minneapolis and demanded the then market price of \$1.65. Defendant offered to pay on basis of \$1.51, which plaintiff refused. No duplicate storage tickets were issued or demanded. HELD: Defendant was not obligated to act on the bond until it was found satisfactory, or until ordered by Court. There was no obligation to buy the grain, and no obligation to deliver until production of storage tickets. The burden was on defendant to show lawful excuse for failure to deliver on demand. The warehouseman's lien was a sufficient excuse, and demand without failure to satisfy that lien created no obligation to deliver. Sections 3125a14 and 3125a54 govern. The statutory remedy is designed, not only to protect the warehouseman but "any person injured by such delivery." "We are unable to adopt any construction of Section 54 of the Uniform Receipts Act which would relieve from criminal responsibility a warehouseman voluntarily making a delivery of goods without obtaining possession of the receipt, except in the cases provided for in Section 14 and 36 of the Act. . . . To hold the defendant liable under the facts pleaded in this case would be to hold it liable for not doing an act which the statute denominates a crime."

NORTH DAKOTA MEMORIALS

Through the courtesy of Mr. A. J. Small, Law Librarian of the Iowa State Library, we are able to publish the summary of references to memorials of North Dakota judges, to-wit:

Bartholomew, Joseph M. 1889-1901	elec.N.D.10:XXIII, reelec.N.D.10:XXIII, mem.N.D.10:XVII - XXXVII, mem.N.D.14:XIII-XV, mem.N.D.B.A.1904-05,1905-06:91-3, mem.N.D.B.A.1899-1904:51-75.
Carmody, John 1909-1911	app. N. D. 49:XXIX, mem.N.D.49:XXIX-XXXII, hist.sketch N.D.B.A.1905 - 06:3, resol.N.B.A.1920:68-70.
Cochrane, John F. 1902-1904	mem.N.D.12:XV-XLI, mem.N.D.B.A.1899-1904:95-121.
Engerud, Edward 1904-1907	elec.N.D.49:XXIV, mem.N.D.49:XXIV-XXVII.
Grace, R. H.	mem.Bar Briefs,6:81.
Morgan, David E. 1901-1911	elec. and res.N.D.22:XXV, mem.N.D.22:XXV-L, Resol.N.D.B.A.1912:140-142, 1927:136-138.
Wallin, Alfred 1889-1902	elec.N.D.51:XIX, mem.N.D.51,XIX-XXIII, mem.N.D.55:XXV-XLVIII,resol. N.D.B.A.1923:25-46.
Young, Newton C. 1898-1906	app.,elec.relec.and res.N.D.51:XXXIII, mem.N.D.51:XXIII-LIII,resol.N.D.B.A. 1924:109-133.

MATTER OF FAIRNESS

The June issue carried an article entitled "We may have to fight," relating to the pamphlet of the First National Bank & Trust Co. of